

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MAURECE KAVEL,

Petitioner,

v.

Civ. No. 09-958 WJ/RLP

ANTHONY ROMERO, Warden, *et al.*,

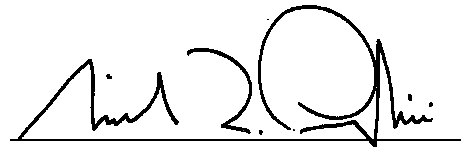
Respondents.

MAGISTRATE JUDGE'S SECOND REPORT AND RECOMMENDATION¹

1. THIS MATTER comes before the Court on Petitioner's Motion for Summary Judgment. Petitioner states that due to Respondents' failure to file their Answer in the time allotted by the Court, he should be granted summary judgment. The Court has entered an Order allowing the Respondents an additional thirty (30) days to submit their Answer to Petitioner's claims that have not been previously raised. Accordingly, I recommend that Petitioner's Motion be denied.

RECOMMENDED DISPOSITION

I recommend that Petitioner's Motion for Summary Judgment [Doc. 9] be denied. I further recommend that Petitioner's Motion to Deny Respondents' Response [Doc. 12] be denied as moot.



Richard L. Puglisi
United States Magistrate Judge

¹ Within ten (10) days after a party is served with a copy of the Magistrate Judge's Second Report and Recommendation (R&R) that party may, pursuant to 28 U.S.C. § 636(b)(1), file written objections to the R&R in the United States District Court. A party must file any objections within the ten-day period allowed if that party wants to have appellate review of the R&R. If no objections are filed, no appellate review will be allowed.